

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE: WAREHOUSE 86, LLC
DEBTOR

CASE NO. 08-03423 ee
CHAPTER 7

TRUSTEE'S OBJECTION TO CLAIMS

Chapter 7 Trustee, Kimberly R. Lentz, files this Trustee's Objection to Claims pursuant to Rule 3001 of the *Federal Rules of Bankruptcy Proceedings* and Rule 3007-1 of the *Uniform Local Rules* and states as follows:

1. Warehouse 86, LLC ("Debtor") filed for relief under Chapter 11 of the *Bankruptcy Code* on November 4, 2008. On December 3, 2010, the case was converted to a Chapter 7 proceeding. Kimberly R. Lentz is the Chapter 7 trustee ("Trustee") of the bankruptcy estate of the Debtor.

2. This Court has jurisdiction over this matter pursuant 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

3. **(KEITH MARTIN MACK - CLAIM NO. 20-1)** The Trustee objects to Claim No. 20-1 filed by Keith Martin Mack in the amount of \$638,219.93 on the basis that the claim is marked as secured. Secured claims are not subject to distribution by the Trustee under Section 726 of the Bankruptcy Code. Additionally, the claim is contingent and unliquidated. The Trustee requests that Claim No. 20-1 be disallowed as a general unsecured claim.

4. **(KEITH MARTIN MACK - CLAIM NO. 36-1)** The Trustee objects to Claim No. 36-1 filed by Keith Martin Mack in the amount of \$168,676.00 on the basis that the claim is a tardy filed claim and also appears to be a duplicate of Claim No. 20-1. The Trustee requests that Claim No. 36-1 be disallowed as a general unsecured claim.

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth above, the Trustee requests that this Court disallow Claim No. 20-1 filed by Keith Martin Mack in the amount of \$638,219.93 , disallow Claim No. 36-1 filed by Keith Martin Mack in the amount of \$168,676.00 and the Trustee requests any additional relief that may be just.

Respectfully submitted,
KIMBERLY R. LENTZ, TRUSTEE

By: /s/ Kimberly R. Lentz
KIMBERLY R. LENTZ, (BAR NO. 8986)

Of Counsel:
Lentz & Little, PA
Post Office Box 927
Gulfport, Mississippi 39502
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CERTIFICATE OF SERVICE

I, KIMBERLY R. LENTZ, do hereby certify that the following have been served electronically via ECF with a copy of the foregoing document:

United States Trustee : USTPRegion05.JA.ECF@usdoj.gov
Christopher R. Maddux, Attorney for Debtor: chris.maddux@butlersnow.com
John A. Crawford, Jr., Attorney for Debtor: jack.crawford@butlersnow.com
Stephen W. Rosenblatt, Attorney for Debtor: Steve.Rosenblatt@butlersnow.com

I further certify that the following have been served with a copy of the foregoing document by U.S. mail, postage prepaid.

Warehouse 86, LLC.
Post Office Box 16692
Jackson, MS 39236

Keith Martin Mack
2949 Los Robles Road
Thousand Oaks, CA 91362-3320

This the 13th day of July, 2011.

/s/ Kimberly R. Lentz
KIMBERLY R. LENTZ